IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4914 OF 2006.

P.V.Chacko. ... Petitioner.
V/s.
Jankalyan Sahakari Bank Ltd.
and another. ... Respondents.

P.N.Kulkarni for the petitioner.

S.A.Bhagwatg for the respondents.

CORAM: V.C.DAGA, J.

DATED: 5th September 2006.

P.C.:

. Heard learned counsel for the rival parties.

. Perused petition.

2. No case is made out to issue writ of mandamus against the respondent No.1- Bank. So far as prayer clauses (b) and (c) are concerned, the same cannot be granted in view of the fact that determination of damages in writ petition is not possible and, secondly, the petitioner has already suffered an action under section 101 of the Maharashtra Co-operative Societies Act, 1960. The recovery certificate was issued on 29th April, 2005 and the same has not been challenged in any of the proceedings till date.

3. In this view of the matter, there is no substance in this petition. Petition is dismissed

in limine with no order as to costs.

(V.C.DAGA, J.)